

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ROANOKE CALENDAR - MARCH 8, 2004**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦ Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:                      Debtors:    Case Nos.:                      Trustees:

**9:30 A.M. - CHAPTER 13 CONFIRMATIONS**

M. Hart	<p>YVETTE MIEREZ - Ch. 13</p> <p>Mod Plan filed 11/14, d/e # 23; <i>contd from 12/22 to date beyond bar-date to file claims</i></p> <p>Trustee Report, Objection &amp; Showcause: Dismiss/convert, filed 11/13; d/e # 22</p> <p><b>Obj:</b> Freedom First Credit Union fka Tech Fed Cr. Un (J Patterson) filed 12/9; d/e #24</p> <p>Motion #2: Relief to foreclose deed of trust</p> <p>Chase Manhattan Mortgage Corp (Wood) v. debtor &amp; trustee</p> <p><u>Answer filed 2/11; d/e # 37</u></p>	7-03-04164	Connelly/JJ
Krippendorf	<p>DAVID &amp; SUE MCKINNEY - Ch. 13</p> <p>Plan filed 1/12; d/e # 17 with certificate; <i>contd from 2/23 - 1 pmt arrears</i></p> <p>Trustee Report, Obj &amp; Showcause: Dismiss/convert, filed 1/13; d/e # 19</p> <p>Trustee Report, Obj &amp; Showcause: Dismiss/convert, filed 2/6; d/e # 24</p>	7-03-05197	Connelly/NS
Janney	<p>RAYMOND, SR., &amp; CINDY HINSON - Ch. 13</p> <p>Mod Plan filed 12/16; d/e # 64, 65 ; <i>contd from 2/9 to amend schedules</i></p> <p><i>&amp; trustee may confirm prior thereto if can recommend</i></p> <p>Trustee's Motion to Dismiss/Convert [d/e # 62]</p> <p><u>Response filed 12/5; d/e # 63; contd from 1/12</u></p>	7-02-04766	Connelly/JJ
Delafield	<p>PHYLLIS JONES</p> <p>Plan filed 12/23; d/e # 6, 13</p> <p>Trustee Report, Obj &amp; Showcause: Dismiss or convert, filed 1/30; d/e # 16</p> <p>Trustee Report, Obj &amp; Showcause: Dismiss or convert, filed 2/10; d/e # 19</p>	7-03-05360	Connelly/JJ

*Note: mot to suspend plan pmts filed & scheduled for 3/22 @ 11*

**9:30 A.M. - CHAPTER 13 CONFIRMATIONS**

Giles	KEITH & PATTI THOMPSON Mod Plan filed 1/23, d/e # 41, 43, 44	7-03-00494	Connelly/S
Taylor/ Gibson	MATTHEW & NAILAH COOK - Ch. 13 Plan filed 1/28; d/e # 18, 19 Trustee report, obj & showcause d/e # 16, contd from 2/9	7-03-04807	Connelly/NS
Shelor	JAMES CALL-chl3 Plan filed 10/31; d/e # 6 <i>contd from 1/28 subj to cure re deficiencies in scheds, etc.</i> Trustee Report, Objection & Showcause: Dismiss/convert file 12/18; d/e # 15	7-03-04662	Connelly/SJ
Janney	MORRIS & CYNTHIA MILLER Mod Plan filed 1/22; d/e # 66, 67 <b>Obj.:</b> First Union Home Equity (Clarke) [d/e # 69] filed 3/3	7-02-03163	Connelly/VS
M Giles	MICHELLE BREWER Mod Plan filed 1/12, d/e # 25, 26, 27 & <u>ord of 1/23 withdrew Capital One Obj to original plan</u> Trustee Report, Obj & Showcause: Dismiss/convert, filed 12/17; d/e # 22	7-03-04561	Connelly/GR

Valuation: 2001 Grand Prix: Capital One Auto finance; filed 11/20 ; d/e # 19  
Answer filed by Capital One (Epps) on 12/22; d/e # 23

Roanoke Calendar - 3/8/04

**9:30 A.M. - CHAPTER 13 CONFIRMATIONS**

M Hart      MICHAEL & JOHNNIE CRAWFORD-chl3      7-02-04764      Connelly/JJ  
Mod Plan filed 1/21; d/e # 40, 41

Motion #2: Relief - contd by 2/11 ord to hear on conf date of new plan when set  
DaimlerChrysler Services NA LLC (Higgs) v. debtors & trustee

Mayer      GEORGE WYATT - Ch. 13      7-03-04939      Connelly/VS  
Amended Plan #1 filed 1/8; d/e # 16, 17; certificate of service filed 1/20; d/e # 18  
Trustee report, Obj & Showcause , d/e # 14, contd from 2/9

Krippendorf      PATRICE GILCHRIST-chl3      7-03-04851      Connelly/GR  
Plan filed 11/13; d/e # 5, *contd from 2/9*  
Trustee report, Obj & Showcause: d/e #16, contd from 2/9

Notice of hearing on Motion #1 filed 2/17 in response to deficiency notice3; d/e # 23  
Response filed 2/13; d/e # 21  
Movant: Moore Loans Inc (Curley) filed 2/5, d/e # 17

M Hart      MICHAEL WASHINGTON      7-03-04443      Connelly/VS  
Plan filed 10/17; d/e # 5; *contd from 2/9 re: issue of whether foreclosure occurred before filing date & from 1/28 for testimony of debtor re: good faith*  
Trustee Report, Objection and Showcause: Dismiss/convert, filed 11/19; d/e # 16

Application of Debtor's Counsel for compensation of \$1,300.00, filed 2/9; d/e # 24  
–**Note: Mot originally scheduled for 3/22, RE-FILED 2/18, D/E # 27 w/hearing 3/8 @ 9:30**

M Hart                      GERALDINE HAYNESWORTH-chl3                      7-02-04705                      Connelly/SL  
Mod Plan #4 filed 1/6; d/e # 60 , 61

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**9:30 A.M. - CHAPTER 13 CONFIRMATIONS**

McNally                      MELANIE CRENSHAW-chl3                      7-03-04166                      Connelly/JJ  
Plan filed 9/30; d/e # 6, 10 ; *Contd fr 12/22 for status hrg IF mod plan not filed prior thereto*  
Trustee Report, Objection & Showcause: Dismiss/convert, filed 11/13; d/e # 16  
**Obj:** USA/IRS (Eckert) filed 11/24, d/e # 18

M Hart                      SHARON SIMMONS-chl3                      7-01-04832                      Connelly/SJ  
Mod Plan filed 1/28; d/e # 40, 41; cert. of serv. filed 1/30, d/e # 44  
Trustee Motion to Dismiss case contd from 1/268, d/e # 30

Krippendorf                      MELVIN BURGER - Ch. 13                      7-03-05306                      Connelly/JJ  
Plan filed 12/19; d/e # 5, 12  
Trustee's Report, Objection & Show Cause on Dismissal or Conversion [d/e # 16]

**9:30 A.M. - MISCELLANEOUS**

Delafield                      SAM DICKERSON - Ch. 13                      7-03-05228                      Connelly/AF  
–*conf set 4/5 @ 9:30*  
Motion for Valuation on 1999 Honda Accord EX w/Americredit Financial Services, Inc.,  
Creditor [d/e # 19]  
  
Motion for Valuation on entertainment center w/Schewel Furniture Co., creditor d/e # 20

**11:00 A.M. - CONFIRMATION**

Delafield      ROSCOE NELSON      7-03-05088      Connelly/AF  
    *–Mod Plan filed 3/5, to be set for 4/19 @ 9:30*  
    Plan filed 12/1; d/e # 6, 14= *contd from 2/23 ; testimony re: plan % payout, etc.*  
    Trustee Report, Obj & Showcause: Dismiss/convert, filed 1/15; d/e # 22  
    Motion to Waive Debtor's Appearance filed 2/18; d/e # 27

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**11:00 A.M. - MISCELLANEOUS**

M Hart      CLAUDIA TERRELL-chl3      7-01-02521      Connelly/GR  
    Objection of Debtor to Trustee's Certification of Dismissal filed by debtor  
    *Amended Notice to correct date filed 1/23; d/e # 54*

Mhart      DUANE & CYNTHIA RICHARDS      7-01-01186      Connelly/JJ  
    Notice of Hearing filed 1/23, d/e # 55, on Debtor's Objection , d/e # 54, filed 1/20;  
    to Trustee's Certification re dismissal filed 1/9; d/3 # 51, 52

Shelor      CHRISTOPHER DUNFORD-chl3      7-03-03779RKR      Connelly/NS  
    Valuation: 1995 Mitsubishi Eclipse RS: Wachovia Bank, filed 12/10; d/e # 18, 21

M. Hart      DENNIS, SR., & PATRICIA HARDY - Ch. 13      7-02-05049      Connelly/S  
    Motion # 5: Relief–filed 12/26 [d/e # 94] *contd from 1/28*  
    Countrywide Home Loans, Inc. (Sasser/Boylan) v. Debtors & Trustee

M Black          ROLAND MACHER-ch11          7-00-3659          DIP/SL  
Confirmation of Amended Plan #2: filed 11/12; d/e # 167, 168 *contd fr 1/28*; d/e 222/226  
Objection: Internal Revenue Service (Eckert)

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**11:00 A.M. - MISCELLANEOUS**

Dickenson          CARL CARSON & NADINE INGRAM-CARSON 7-01-00368          Connelly/AF  
Hart          Motion for Compensation of Debtor's counsel M Hart in the amount  
of \$857.50; d/e # 75-78

M. Hart          MARK MOORE - Ch. 13          7-03-02072          Connelly/SJ  
Motion for Compensation filed by Debtor's counsel for an add'l \$315  
Interim Fee [d/e # 39, 40, 41, 42]

M. Hart          ROSA EARLY - Ch. 13          7-01-04837          Connelly/NS  
Motion for Compensation filed by Debtor's counsel in the amount of \$682.50  
[d/e # 43, 44, 45, 46]

M. Hart          STEVE & MARY MORRIS - Ch. 13          7-02-05003          Connelly/VS  
Motion # 1: Relief--filed 1/20 [d/e # 28, 29]; movant's certification filed

Krippendorf MYRA PRESLEY 7-02-04193 Connelly/VS  
Motion #1: Relief from Stay and Co-Debtor Stay; filed 2/9; d/e # 29, 30  
Aurora Loan Services (Jaffe) v. debtor; Eric L. Hall, Co-Debtor ( ) &  
Trustee  
Response filed by Debtor 2/19 [d/e # 32]

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**11:00 A.M. - MISCELLANEOUS**

M Hart GRANT & MAYRA MILLER 7-01-03952 Connelly/SJ  
Motion #1: Relief - filed 2/9; d/e # 40; 41; Movant's cert. filed 2/13, d/e # 43  
Aurora Loan Services Inc (Jaffe) v. debtors & trustee  
Response filed 2/12, d/e #42

Spencer PHILLIP & DIANNE RANDOLPH-chl3 7-03-02652 Connelly/SJ  
Motion #1: Avoid lien, filed 12/24; d/e # 28: Amended Motion filed 2/9; d/e # 33  
Debtors v. Beneficial Virginia & Trustee  
– *contd from prior hearing for proper service*

Stark HUBERT WISE 7-03-03996RKR Connelly/JJ  
Motion #2: Relief - recusal from Judge Krumm case, filed 2/9; d/e # 30, 34, 35  
Wachovia Bank NA , successor to First Union Natl Bk (Mason) v. debtor & trustee  
*Movant's certification filed 2/19; d/e # 36*  
Response filed by Debtor 2/23 [d/e # 37]

M Hart	ALTON & JOANN LAND-chl3	7-02-03454	Connelly/SL
	Motion #1: Relief - filed 2/2; d/e # 25, 26		
	National City Mortgage (Sasser) v. debtors & trustee		

M Hart	ANTOINETTE HARBOR	7-01-01799	Connelly/S
	Motion to Incur debt filed 2/12; d/e # 87		

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**11:00 A.M. - MISCELLANEOUS**

M Hart	ROGER & BRENDA SCHAEFFER-chl3	7-02-04704	Connelly/JM
	Motion to Incur Debt filed 2/13, d/e # 86		

Ludwig	SIDNEY & TONYA JACKSON - Ch. 13	7-02-03116	Connelly/JJ
	Motion # 1: Relief--filed 1/28 [d/e # 38, 39, 41]		
	Moore Loans, Inc., t/a MAC (Curley) v. Debtors & Trustee		
	<u>Response filed by Debtors 2/10 [d/e # 40]</u>		
	<b><i>Motion &amp; Order of 3/2 cont'd hrg. to 3/22 @ 11:00 a.m.</i></b>		

Shelor	EDDIE, JR., & GLENDORA DALTON - Ch. 13	7-01-02478	Connelly/AF
	Debtors' Motion to Approve Sale of Real Property [d/e # 49]		
	<b><u>Obj:</u></b> Cundiff Heating & Air Conditioning Inc (R.Derrico) filed 3/3; d/e # 50		



**2:00 P. M. - PRE-TRIAL CONFERENCES**

Gardner JUSTIN LOWE-ch7 7-03-04264 Krippend/JM  
A/P 7-04-00001: Det. Dischargeability  
Schewel Furn Co Inc (Donna Schewel Clark) v. debtor

*-Order (Default) entered 2/26?*

Delafield JERRY ST. CLAIR-ch7 7-03-02849 Creasy/LM  
A/P 7-03-00196: Det. Liens  
Debtor v. Roanoke Orthopedic Center ( )

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**2:00 P.M. - MISCELLANEOUS**

Bowman NOVA CUISINE INC-chll 7-03-04770 DIP/NS  
Status Hearing

Motion of U. S. Trustee to Dismiss or Convert case or compel, filed 2/2; d/e # 21

Debtor's Motion to Assume Executory Contract/Lease [d/e # 28] filed 3/2

Krippend. TIMOTHY TAYLOR 7-03-04789 Goldstein/AF  
Motion of Trustee to Dismiss case; failure to appear at creditors meeting , filed 1/21  
d/e # 11

Krippend. KEVEN & PEGGY SPARKS 7-01-01519 Goldstein/GR  
Motion of Trustee to Dismiss case; failure to appear at creditors meeting, filed 1/21,  
d/e # 83

Krippendorf     FREDERICK DOUGLAS - Ch. 7     7-03-02561     Vogel/GR  
Trustee's Motion to Dismiss Case [d/e # 47]

Ware     ROBERT SCHOLTZ     7-03-00169     Allen/JJ  
Motion for compensation of Trustee for fees of \$5,085.30 & \$394.55 expense filed  
1/28; d/e # 22, 26

Motion for compensation of Attorney for Trustee of \$945.00, filed 1/28; d/e # 23, 26

Motion for compensation opf Realtor James Huffard, Boones & Company in  
amt of \$7,080.00, filed 1/28; d/e # 25, 26

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**2:00 P.M. - MISCELLANEOUS**

Claytor     TIMOTHY & KELLY MCCROSKEY     7-03-04897     Creasy/NS  
Motion #1: Relief - filed 2/10; d/e # 12, 13  
DaimlerChrysler Services (Higgs) v. debtors & trustee  
***-Order (consent) of 2/24 granted relief***

Smith     CHRISTOPHER HYLTON     7-03-04375     Krippend/SL  
Motion #1: Relief - filed 2/11; d/e # 18, 19, 20  
DaimlerChrysler Services NA LLC (Higgs) v. debtor & trustee  
***-ORDER of 3/4 modifies stay with provisions and stipulations for default***

Bowman     CHARLES & SHARON HARTMAN     7-03-04464RKR     Krippend/JJ  
Motion #2: Relief - filed 2/11; d/e # 22, 23, *recusal from Judge Krumm*, p-h-o d/e # 27  
Wachovia Bank NA Successor to First Union National Bank (Smith) v. debtors & trustee  
***-Default Order granting relief from stay entered 3/1 [d/e # 28]***

M Giles	KENNETH & ELSIE HAWKINS-ch7	7-04-00177	Creasy/NS
	Motion #1: Relief - filed 2/12; d/e # 10, 11		
	National City Mortgage Co (Sasser) v. debtors & trustee		

Krippendorf	ANTHONY & KIMBERLY SIMMONS - Ch. 7	7-04-00246	Allen/JJ
	Debtors' Motion to Reinstate Case [d/e # 21]		

Hale	DAVID LAWATHER - Ch. 7	7-03-05131	Connelly/GR
	Motion # 1: Relief from stay [d/e # 18]– <i>contd from 2/23</i>		
	CitiMortgage, Inc. (Sasser;Huebschmann) v. Debtor & Trustee		
	<u>Answer filed by Debtor 2/20; d/e # 22, 23</u>		

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**2:30 P. M.- MISCELLANEOUS**

Ackerly	RBX CORPORATION aka RBX GROUP, INC-1	7-04-00725	DIP/JJ
Ackerly	RBX INDUSTRIES, INC -Ch11	7-04-00726	DIP/JJ

1. Application of the Debtors to Retain and Employ Hunton & Williams LLP  
as Counsel to the Debtors  
Mot of U.S.Trustee filed 3/5, d/e # 97, to extend tie to object to application
  
2. Application of the Debtors to Retain and Employ Scott Kroner, PLC as  
Co-Counsel to the Debtors  
**OBJ:** U.S.Trustee, fild 3/5, d/e # 96

3. Application of the Debtors to Retain and Employ TRG Turnaround and Crisis Management as Turnaround Consultants to the Debtors  
**OBJ:** U. S. Trustee, filed 3/5; d/e # 94
4. Emergency Motion of the Debtors for Entry of an Order Authorizing Employment of Professionals Used in the Ordinary Course of Business
5. Emergency Motion of the Debtors for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals
6. Motion of Creditors' Committee (Magee) for R2004 Examination of a) William M. Allen; b) Lynn A. Bakker, c) Timothy J. Bernlohr; d) Thomas W. Crowley; e) Rodney P. Repka; f) Harry L. Schickling; g) Richard W. Detweiler; h) Charles Macaluso; i) Joseph J. Radecki Jr; & j) John Calabrese **filed 3/6**; d/e # 91
7. Motion of Creditors Committee to rehear Emergency motion of debtors for Entry of Order Extending Time to File Schedules & Statements of financial Affairs, d/e # 92, **filed 3/6**